

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

John M. McCarthy)	
_____)	
IN RE:)	
John M. McCarthy)	Case No. 22-20217-CMB
Debtor/Movant)	
v.)	
Shellpoint Mortgage)	
Creditor/Respondent)	
)	
Ronda Winnecour,)	Chapter 13
Trustee)	

**SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING
DEBTOR'S MOTION TO APPROVE NON-LMP INTERIM TRIAL LOAN MODIFICATION**

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the [Application/Motion] filed on 1/19/23. (State "None" if no prior Motion or Application.)

The signature requirements of W.PA.LBR 5005-6 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

An agreed order and a black-lined version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.

No other order has been filed pertaining to the subject matter of this agreement.

The attached document does not require a proposed order.

Dated: 2/08/23

By: /s/Russell A. Burdelski, Esquire

Signature

Russell A. Burdelski, Esquire

Typed Name

1020 Perry Highway, Pittsburgh, PA 15237

Address

412-366-151

Phone No.

72688 PA

List Bar I.D. and State of Admission

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)	
Ronda Winnecour,)	Chapter 13
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**CONSENT ORDER APPROVING INTERIM NON-LMP
TRIAL LOAN MODIFICATION**

AND NOW, this ____ day of ____, **2023**, for the foregoing reasons it is hereby
ORDERED, ADJUDGED and DECREED that:

The Chapter 13 Trustee is authorized to modify the distribution to the above named Creditor for the Trial Modification Period. Each Trial Payment shall be to the mortgage company by the Trustee in the amount of \$925.48 henceforth till further Order of this Court. The Trustee shall distribute to Shellpoint Mortgage in the amount of \$925.48 per month for the following months: **2/01/23, then 3/01/23 then 4/01/23, in the amounts of \$925.48 each.** Debtor has filed an amended plan to address the new obligation.

Debtor is desirous of making adequate protection payments pending confirmation of the amended plan. Trustee is authorized to disburse this adequate protection payment in the next distribution cycle practicable and each monthly cycle thereafter pending confirmation of the amended plan.

(1) Following the Trial Modification Period, the Chapter 13 Trustee shall continue to make distributions in the same amount as the Trial Payments until further Order of Court. In the event that a Permanent Modification is reached between the parties, the Debtor ***immediately*** shall file a *Motion to Authorize Permanent Loan Modification* in compliance with *W.P.A.LBR 9020-6(d)*.

By The Court,

United States Bankruptcy Judge

Russ@BurdelskiLaw.com

CONSENTED TO BY:

/s/Russell A. Burdelski
Russell A. Burdelski, Esquire, Attorney for Debtor

February 8, 2023
DATE

/s/ Kate DeSimone
Kate DeSimone, Esquire
Attorney for the Chapter 13 Trustee

February 8, 2023
DATE